

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 317 OF 2005

Sahebjad Mohd. Sai Chaudhari & Anr. Applicants.

V/s.

The State of Maharashtra .. Respondents.

Shri Uday Warunjikar for the Applicants.

Shri K.V. Saste, APP for Respondent- State.

CORAM : A.M.KHANWILKAR, J.

DATED : JANUARY 27, 2005.

PC :-

. Heard the learned counsel for the parties.
 Perused the record.

2. The prosecution case is that Applicants purchased the property in question from co-accused, which was the subject matter of the dacoity committed by them. But the fact remains that there is nothing on record to suggest that the applicants had knowledge that the property in question was subject matter of the dacoity committed by the main accused. The property was, however, purchased by the applicants from accused Nos. 5 and 6 for consideration. Besides, the same has been sold by the applicants to

one Jetmal Ramaji Choudhari, a resident of Pimpri for consideration. As mentioned earlier, as there is no material to indicate that the applicants had knowledge about the property being subject matter of dacoity, the applicants deserve to be enlarged on bail having regard to the fact that the applicants have permanent place of abode and are engaged in business of scrap material in Pune. Hence, the applicants be released on bail on following conditions :-

(a) Applicants are enlarged on bail in connection with C.R.No. 134/2004, registered with Satpur Police Station Nasik, on executing personal bond in the sum of Rs. 50,000/- (Rs. Fifty thousand only) each with one or two local sureties in the like amount.

(b) Applicants shall regularly report to the concerned investigating officer, once in a week on Saturday 10 a.m. to 4 p.m. till filing of the chargesheet or on such other date or time and place as may be directed by the investigating officer in connection with the investigation of the case.

(c) The Applicants shall extend full co-operation

for early disposal of the trial. If the trial court is of the opinion that they are responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(d) The Applicants shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Ordered accordingly.

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